

REMARKS

Claim 12 has been allowed. The Examiner objected to claims 9-11, 17, 19 and 20-25 as depending upon a rejected base claim, but the Examiner indicated that these claims would be allowable if rewritten in independent form to include the features of the base claim and any intervening claims. Claim 9 has been rewritten in independent form to include the features of claim 1. Claims 10 and 11 depend on claim 9 and are also allowable. Claim 17 has been rewritten in independent form to include the features of claim 15.

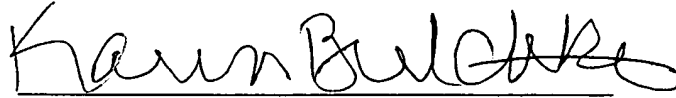
The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because the reference character 76 has been used to designate both the compressor discharge and the control. Figure 3 has been amended to change the reference numeral for the control to "77." The specification has also been amended to reflect this amendment. Replacement figures are enclosed.

Claims 1, 13, 14 and 15 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Watanbe (JP 2002250575). Watanbe does not disclose a vapor compression system including an auxiliary heater that heats one of water or refrigerant as claimed. Watanbe discloses a heat pump water heater including a refrigeration circulation circuit and a water heating circuit that exchange heat in a water heat exchanger 2. When an evaporation temperature is high (as in the summer), the amount of reheating hot water is reduced. A controller 17 stops operation of the compressor 1 and a circulation pump 65 to save energy. Watanbe does not disclose an auxiliary water heater, but instead discloses a controller 17 that controls operation of the compressor 1 and the circulation pump 65 to save energy based on an evaporator 4 temperature. The claimed invention is not anticipated.

Thus claims 1-25 are in condition for allowance. The Commissioner is authorized to charge Deposit Account No. 03-0835, in the name of Carrier Corporation, \$400.00 for two additional independent claims. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,

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CERTIFICATE OF MAIL

I hereby certify that the enclosed response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 5, 2006.


Amy M. Spaulding